

REMARKS

Claims 1, 3, 8-12, 14-16, and 20-24 are pending in this application. By this Amendment, claims 1 and 12 are amended, and claims 22-24 are added. Support for the amendments to the claims and new claims may be found, for example, in the original claims and in the specification at page 3, lines 4-21 and pages 10-20, Examples 1-7. No new matter is added.

In view of the foregoing amendments and the following remarks, reconsideration and allowance are respectfully requested.

III. Allowable Subject Matter

Applicants thank the Examiner for the indication that claim 3 contains allowable subject matter. Specifically, this claim is indicated as allowable if rewritten in independent form to include all of the features of the base claim and any intervening claims.

By this Amendment, the independent claims are amended in light of the Examiner's comments. Specifically, the independent claims are amended to include subject matter that the Office Action has acknowledged is enabled by the specification. See Office Action, page 3. Accordingly, allowance of the application is respectfully requested.

III. Rejection under 35 U.S.C. §112, First Paragraph

The Office Action rejects claims 1, 8-12, 14-16, 20 and 21 under the enablement requirement of 35 U.S.C. §112, first paragraph. By this Amendment, claims 1 and 12 are amended in light of the Examiner's comments. Specifically, claims 1 and 12 are amended to recite "wherein said bacterium is of a genus selected from the group consisting of *Salmonella* and *Staphylococcus*." The Office Action acknowledges that the specification is enabling for media for detecting and/or identifying *Salmonella* and *Staphylococcus*. See Office Action, page 3. Therefore claims 1, 8-12, 14-16, 20 and 21 satisfy the enablement requirement of

35 U.S.C. §112. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

III. New Claims

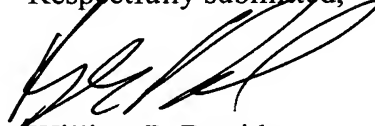
By this Amendment, new claims 22-24 are presented. New claims 22 and 24 depend from claims 1 and 12, respectively, and recite that bacterium belongs to the *Staphylococcus* genus. New claim 23 depends from claim 12 recites that bacterium belongs to the *Salmonella* genus. Because new claims 22-24 depend from claims 1 and 12, they distinguish over the previously applied references for at least the reasons previously discussed above with respect to claims 1 and 12. Furthermore, the Office Action acknowledges that the specification is enabling for media for detecting and/or identifying *Salmonella* and *Staphylococcus* and, thus, new claims 22-24 satisfy the enablement requirement of 35 U.S.C. §112. Prompt examination and allowance of new claims 22-24 are respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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